

**WILDLIFE ACT**

R-010-2005

Registered with the Registrar of Regulations

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**PRESCRIBED MATTERS REGULATIONS**

The Commissioner in Executive Council under sections 17, 55, 59, 72, 76, 84, 87, 98, 105, 106, 108, 110, 119, 162 and 201 of the *Wildlife Act*, S.Nu.2003,c.26 and every enabling power, makes the annexed *Prescribed Matters Regulations*.

1. The following words and phrases are defined for the purposes of the Act:

"former *Wildlife Act*" means the *Wildlife Act*, R.S.N.W.T. 1988, c.W-4; (*ancienne Loi sur la faune*)

"general hunting licence" or "GHL" means a general hunting licence issued by

- (a) the Government of the Northwest Territories under the former *Wildlife Act* and held by a person resident in Nunavut on April 1, 1999, or
- (b) the Government of Nunavut under the former *Wildlife Act* between April 1, 1999 and the date these regulations come into force; (*permis de chasse général* ou *PCG*)

"manufactured product" means any part or product of a wild animal that has been subjected to a manufacturing process, including processed food, garments, jewellery, art, tanned hides or pelts or wildlife that was subjected to a taxidermic process, unless the animal from which the part or product originated was harvested unlawfully; (*produit manufacturé*)

"non-resident" means a person who resides in Canada, but not in Nunavut; (*non-résident*)

"non-resident foreigner" means a person who resides outside Canada; (*non-résident étranger*)

"resident" means a person, other than an Inuk, who resides in Nunavut; (*résident*)

"snowmobile" means a motorized vehicle that runs on tracks and skis and is designed for cross-country travel on snow and ice; (*motoneige*)

"tanning" does not include the drying of a hide or pelt or the removal of flesh from the hide or pelt; (*tannage* ou *tanner*)

"upland game bird" in paragraph (f) of the definition of "small game" in section 2 of the Act means *galliformes* - including grouse and ptarmigan. (*gibier à plumes sédentaire*)

2. The prescribed identification card, for the purposes of paragraph 17(1)(c) of the Act, for a member of an aboriginal people of the Northwest Territories is

- (a) a general hunting licence issued under the laws of the Northwest Territories that provides evidence of the member's right to harvest in the Nunavut Settlement Area referred to in section 13 of the Act; or
- (b) an enrolment or beneficiary card issued in accordance with a land claim agreement in effect in the Northwest Territories.

3. Any document evidencing an assignment under Article 5 of the Agreement is prescribed for the purposes of subsection 55(2) of the Act.

4. Birds of prey are "prescribed wildlife" for the purposes of subsection 59(1) of the Act.

5. *Corvus corax* - ravens are "prescribed birds" for the purposes of subsection 72(2) of the Act.

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**6.** (1) For the purposes of paragraph 76(2)(a) of the Act, the following parts of a caribou, moose, deer, reindeer or muskox are considered to be inedible and not to be considered wasted:

- (a) the head;
- (b) the legs below the knee joint;
- (c) the internal organs;
- (d) the bones when stripped of meat;
- (e) the parts of the carcass damaged by the harvesting method;
- (f) any part of a diseased animal that the harvester reports to a conservation officer.

(2) The prescribed "furbearers" for the purposes of paragraph 76(2)(b) of the Act are:

- (a) *Castor* - beaver;
- (b) *Alopex* - white fox and arctic fox;
- (c) *Vulpes* - red, cross, black and silver fox;
- (d) *Canis* - coyote and wolf;
- (e) *Mustela* - ermine, weasel, least weasel and mink;
- (f) *Gulo* - wolverine;
- (g) *Lutra* - otter;
- (h) *Martes* - marten and fisher;
- (i) *Lynx* - lynx;
- (j) *Ondatra* - muskrat;
- (k) *Ursus* - bear.

**7.** The following species of wildlife are prescribed as exceptions for the purposes of section 84 of the Act:

- (a) *Spermophilus* - Arctic ground squirrel;
- (b) *Tamiascirus* - red squirrel;
- (c) *Lemmus* - brown lemming;
- (d) *Dicrostony* - collared lemming;
- (e) *Synaptomys* - northern bog lemming;
- (f) *Phenacomys* - heather vole;
- (g) *Clethrionomys* - red-backed vole;
- (h) *Microtus* - meadow vole.

**8.** For the purposes of paragraph 87(2)(c) of the Act, a prescribed all terrain vehicle is a motorized vehicle, other than a snowmobile, that

- (a) has a dry weight of less than 600 kg;
- (b) runs on wheels, tracks, air cushions or any combination of wheels, tracks or air cushions; and
- (c) is designed for cross-country travel on land, water, snow, ice, marsh, swamp or on other natural terrain.

**9.** For the purposes of section 98 of the Act, the prescribed amount for payment for transporting or handling wildlife is an amount not less than \$10 and not exceeding \$2,000.

**10.** (1) The prescribed live domestic animals for the purposes of subsection 105(1) of the Act, for which an import permit is required, are livestock, including cattle, goats, poultry, sheep and swine.

(2) For the purposes of subsection 105(1) of the Act, no import permit is required to import a plant.

(3) For greater certainty, subsection 91(2) of the Act continues to apply to any species for which no import permit is required.

**11.** (1) For the purposes of paragraph 106(1)(b) of the Act, no export permit is required to export the following:

- (a) any wild plant for personal or family consumption;
- (b) any manufactured product;

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- (c) any found wildlife that has been certified by a conservation officer under subsection 4(4) of the *Certification and Disposal of Wildlife Regulations*, made under the former *Wildlife Act*.

(2) The exception in subsection (1) does not apply to any wildlife that is a listed species or an extinct species.

**12.** Any species of wildlife for which harvesting is prohibited or for which the total allowable harvest is zero is prescribed for the purposes of subsection 108(2) of the Act.

**13.** The prescribed quantities for the purposes of section 110 of the Act are

- (a) raw caribou hides with a fair market value of \$5,000 per year; and
- (b) any other raw hide or raw pelt with a fair market value of \$2,000 per year.

**14.** Prescribed commercial activities for the purposes of section 119 of the Act are those activities for which a wildlife business licence, as defined in the *Wildlife Business Regulations* made under the former *Wildlife Act*, is required.

**15.** (1) The oath or affirmation prescribed for the Superintendent for the purposes of subsection 162(3) of the Act is

*I, ....., do solemnly and sincerely promise and (swear or affirm) that I will duly, faithfully and to the best of my skill and knowledge, execute the powers and perform the duties entrusted to me as the Superintendent of Wildlife.*

(2) The oath or affirmation prescribed for a conservation officer for the purposes of subsection 163(4) of the Act is

*I, ....., do solemnly and sincerely promise and (swear or affirm) that I will duly, faithfully and to the best of my skill and knowledge, execute the powers and perform the duties entrusted to me as a Conservation Officer.*